REMARKS

Claims 1, 2, 5, 6, 53, and 54 are pending. In this paper, claims 1, 6, and 54 have been amended and claims 7, 8, 11, and 12 have been withdrawn in view of the request for rejoinder discussed below. The remaining claims have been canceled. In addition, Replacement Sheets for Figures 1-4 have been provided to include the legend "Prior Art." Withdrawal of the drawing objection is respectfully requested.

At the outset, Applicants would like the thank the Examiner for granting Applicants' representative an interview to discuss election made in response to the Election-of-Species Requirement and the § 101 rejection. As discussed, Applicants would like to clarify for the record that elected claims 1, 2, 5, 6, 53, and 54 cannot properly be said to correspond to Figure 2 of the application drawings as indicated in the Election-of-Species Requirement. As indicated in the Requirement, Figure 2 corresponds to prior art.

From the specification, it is clear that the elected claims correspond to at least Figure 5, because Figure 5 shows all the messages recited in base claim 1 transmitted between the terminal and network. Rejoinder into the application of at least claims 7, 8, 11, and 12 (which were indicated to correspond to Figure 5 in the Election-of-Species Requirement) is respectfully requested.

Turning now to the rejections in the Final Office Action, claims 1, 2, 5, 6, 53, and 54 were rejected under 35 USC §103(a) for being obvious in view of al Al-Tawil-Arata combination. Applicants request the Examiner to withdraw this rejection for the following reasons.

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As discussed in the specification, at least one embodiment of the invention allows a user

of a mobile terminal to request ciphering call information after the call has already been

connected; that is, during the call. This is a substantial benefit in that it allows a caller to prevent

eavesdropping, even when it has been determined by the network during an initial registration

procedure that ciphering is not to be initially performed.

Claim 1 has been amended to more clearly cover these features of the invention. For

example, as amended claim 1 recites "connecting a call between the terminal and the network" and

"transferring call information between the terminal and network without ciphering the call

information." (See, for example, Paragraph [77] of the specification and reference numeral 505 in

Figure 5 for support. Also, see Paragraph [70] where call information is defined to include voice as

well as text and other information, all of which is transmitted during a call.)

In addition to these features, claim 1 has been amended to recite "transmitting a ciphering

request from the terminal to the network after the call information has been transferred between the

terminal and network without ciphering," where "the ciphering request is transmitted during transfer

of data to the terminal to the network during the call." (See, for example, Paragraph [77] of the

specification and Figure 5 for support).

The amendments added to claim 1 serve to further differentiate the references cited by the

Examiner. For example, the Al-Tawil publication discloses that the network (not the terminal as

recited in claim 1) initiates ciphering activation. By having the network activate ciphering, it is clear

that transmitting a ciphering request from the terminal to the network during a call is not performed

in Al-Tawil. Thus, Applicants submit that Al-Tawil fails to teach or suggest the quoted features of claim 1 noted above.

The Arata publication discloses transmitting a ciphering request from a terminal to a network in order to activate ciphering (e.g. privacy mode). However, Arata transmits the ciphering request with a call signal used to initiate the call. (See, column 3, lines 11-19). That is, the privacy mode request is transmitted to a base station before the call is ever connected. (See also column 7, lines 9-15). The Ararta publication, therefore, does not teach or suggest allowing a user to request ciphering **during the call**, and more specifically after the call has been connected and also after call information has already been transmitted between the terminal and the network without ciphering during the call as recited in claim 1.

Thus, Arata does not teach or suggest the connecting and transferring steps of claim 1. Moreover, Arata does not teach or suggest the step of "transmitting a ciphering request from the terminal to the network after the call information has been transferred between the terminal and network without ciphering" as is further recited in claim 1. This is further apparent from the recitation that the ciphering request is transmitted "during transfer of data from the terminal to the network." As indicated in the specification, this data transfer may involve voice, text, or other information during a call. (See Paragraphs [70], [77], and [78]).

Absent a teaching or suggestion of these features, it is respectfully submitted that claim 1 and its dependent claims are allowable over an Al-Tawil-Arata combination.

Claim 54 recites transmitting a ciphering deactivation request message from the terminal to the network during at a time when ciphered data is being transferred between the terminal and network, and deactivating ciphering in response to the ciphering deactivation request message, the ciphering being deactivated during the call. The Al-Tawil and Arata publications do not teach or suggest deactivating ciphering <u>during a call</u>. Thus, according to the claimed invention, the terminal user may selectively activate and deactivate ciphering for different information transmitted during the same call. The cited references do not teach or suggest these features, whether taken alone or in combination.

Claims 1, 2, 5, 6, 53, and 54 were rejected under 35 USC § 112, first paragraph, on grounds that the specification does not provide a written description of the "predetermined time" in claim 1. Claim 1 has been amended to delete this phrase. Withdrawal of the § 112, first paragraph, rejection is respectfully requested.

Claims 1, 2, 5, 6, 53, and 54 were rejected under 35 USC § 101 on grounds that there is no recitation of a real-world, tangible result. Claim 1 has been amended to recite "ciphering call information transmitted between the terminal and network after the ciphering activation completion message is received from the network." Applicants submit that this ciphering step constitutes a real-world, tangible result sufficient to cause claim 1 and its dependent claims to recite patentable subject matter under § 101. Withdrawal of the § 101 rejection is respectfully requested.
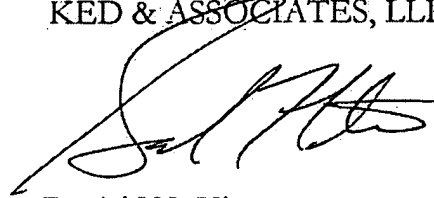
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In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and timely allowance of the application is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

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